

Sep-08-05 02:43pm From-QUALCOMM AF-210A

858-845-2550

T-406 P.008/016 F-998

Attorney Docket No. 030231

IN THE DRAWINGS

Please amend the Figures 1-3 in which the proposed changes are made in red ink.

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REMARKS

Claims 1-29 are pending in the present application, of which claims 1, 6, 11, 16, 21, 23 and 25-27 are independent. After entry of the above amendments, claims 1-24 and 30-33 are pending in the present application, of which claims 1, 6, 11, 16, 21, 23, 30 and 32 are independent. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

I. DRAWINGS

Enclosed herewith are amended Figures 1-3 in which the proposed changes are made in red ink. Applicant respectfully requests the Examiner to accept these Figures as amended because they correct informalities pointed out by the Examiner.

II. REJECTION UNDER 35 U.S.C. §102

The Examiner rejected claims 1-24, now pending, under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 6,006,109 issued to Shin (hereinafter "Shin"). The rejection is respectfully traversed in its entirety.

To anticipate a claim under 35 U.S.C. §102(e), the reference must teach every element of the claim and "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." (see MPEP §2131).

Shin discusses a conventional wireless data communication in which a portable phone is used by a portable computer to transmit and receive data wirelessly. As shown in Figures 3-5, Shin teaches an interface unit 200 allows the portable computer to communicate with the portable phone through the microphone/headphone jack (col. 3, lines 31-55). Therefore, the portable phone is essentially a conduit that wirelessly forwards data to and from the portable computer to another device.

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In contrast, the independent claims 1, 6, 11, 16, 21 and 23, as amended, discloses an apparatus that allows a non-wireless communication between two devices, wherein the first device is one of a mobile phone, a personal digital assistant or a smart phone and wherein the second device is one of a mobile phone, a personal digital assistant or a smart phone.

Shin does not teach or even suggest the non-wireless communication between, for example two mobile phones, two personal assistants, a mobile phone and a smart phone, etc., as claimed in the independent claims 1, 6, 11, 16, 21 and 23. Since Shin does not teach every element of the claims, Applicants submit that the independent claims 1, 6, 11, 16, 21 and 23 are allowable.

Also, claims 2-5, 7-10, 12-15, 17-20, 22 and 24 depend from and include all the elements cited in the independent claims 1, 6, 11, 16, 21 and 23, respectively. Accordingly, Applicant submits that these claims are believed to be allowable based on their dependency from an allowable base claim as well as other novel features included therein.

For at least the foregoing reasons, Applicants respectfully request a withdrawal of the rejection under 35 U.S.C. §102.

III. NEW CLAIMS

With respect to new claims 30-33, Applicants submit that none of the cited references discloses encoding/decoding digital data based on either a digital to analog/analog to digital conversion or a multi-carrier modulation/demodulation. Moreover, with respect to claims 31 and 33, none of the cited references discloses receiving/transmitting analog signals having frequencies in the range of approximately 1 kHz to 3 kHz.

Therefore, Applicants respectfully submit that the claims 30-33 are allowable.

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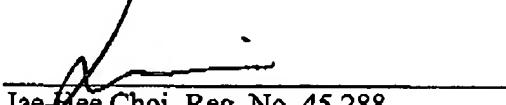
CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: September 8, 2005

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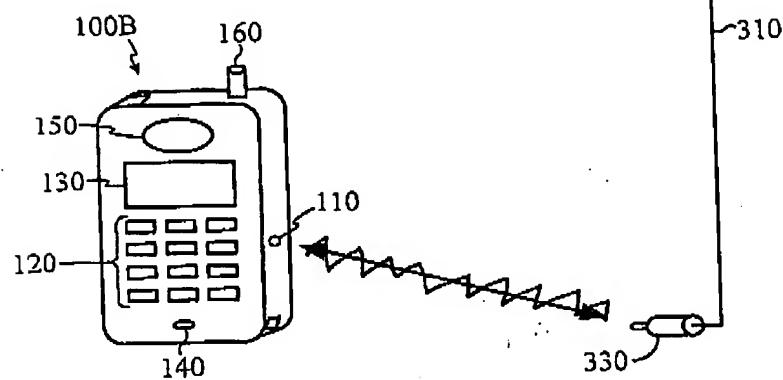
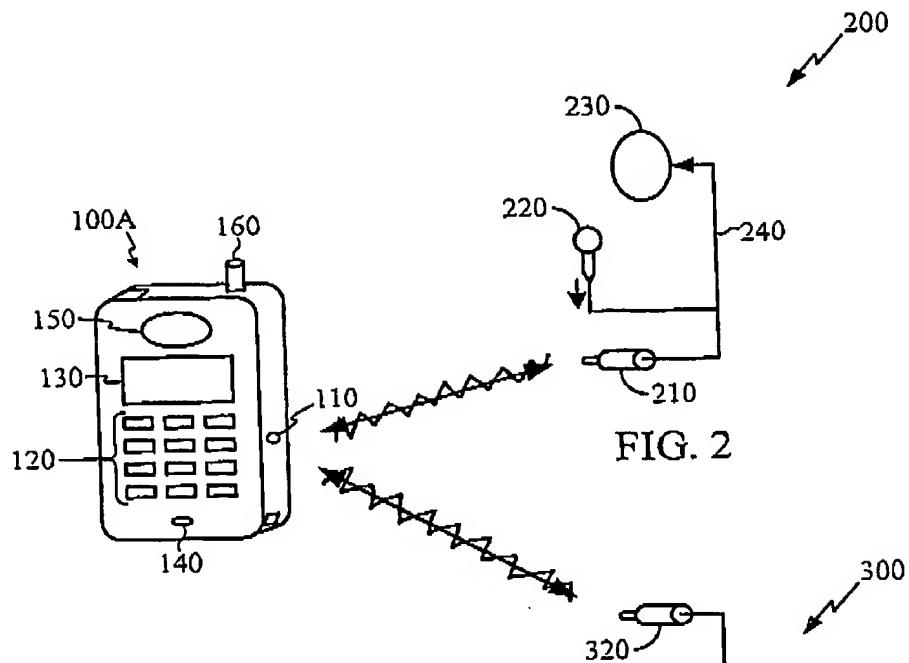
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PROPOSED CHANGES

FIG. 3